

9040

## VOLUNTARY AGREEMENT

THIS AGREEMENT, has been made this 19th day of February 2001, by and between BJ Enterprises, t/a JP's Nite Club (hereinafter referred to as "Applicant") and ADVISORY NEIGHBORHOOD COMMISSION 3B (hereinafter referred to as "the Commission");

WHEREAS, Applicant's application for renewal of its Class "C/N" Retailer's License at its premises at 2412 Wisconsin Avenue, N.W. is pending before the District of Columbia Alcoholic Beverage Control Board (hereinafter referred to as "the Board");

WHEREAS, the Commission, if it were disposed to do so, would have the opportunity to file a timely protest against the renewal of Applicant's license;

WHEREAS, Applicant and the Commission believe that it is in their mutual interest to resolve any concerns of the Commission that might be the subject of a protest by entering into a voluntary agreement;

NOW, THEREFORE, Applicant and the Commission set forth their mutual agreement, as follows:

1. The Commission will not protest Applicant's renewal application.

2. Applicant will operate the licensed premises in the following manner:

A. Beginning no later than March 20, 2001, Applicant will employ an off-duty police officer or uniformed security officer at the premises from 9 P.M. to closing, each Thursday, Friday, and Saturday.

B. On each business day, from 9 P.M. to closing, an employee of Applicant's establishment will periodically patrol the sidewalk in front of its premises.

C. Applicant will exert every reasonable effort (within the limits of its authority) to prevent its patrons from (1) loitering outside its premises, (2) engaging in rowdy or noisy behavior, vandalism or the harassment of other persons within 100 feet of the premises, and (3) operating motor cycles in an unnecessarily noisy manner when arriving at or leaving the premises. This obligation is not intended to make Applicant absolutely liable for any injury or damage occurring within the area covered.

D. Applicant will not display any words, advertisement, notice, picture, or drawing of any kind (except the name "JP's Nite Club" and any signs required by law) on the exterior walls, doors, or roof of its premises which indicate the type of entertainment offered. (The Commission will not object to the retention of the existing sign reading "2412 / A Gentlemen's Club.")

E. Applicant will exert reasonable efforts to assure that sound emanating from the interior of its premises cannot be heard on the sidewalk in front when the door is closed.

F. Applicant will not serve alcoholic beverages to any person who appears intoxicated or who is known to be likely to become disorderly when intoxicated.

G. On each business day after closing, an employee of Applicant's establishment will check to make sure that all of Applicant's refuse has been properly stowed in the containers provided by its refuse-hauling service.

H. Applicant will maintain the sidewalk and public space in front of its premises in a clean and sanitary condition

3. Applicant will meet with the Commission or the Glover Park Citizens Association, upon their request, to discuss whether the operating practices prescribed in Paragraph 2 above are adequately protecting community interests and to consider suggestions for modification. The Commission agrees to meet with Applicant at its request to consider its suggested modification of the operating practices and to invite the community organizations to attend any such meeting.

IN WITNESS WHEREOF, the parties have affixed hereunto the signatures of their authorized officers this 19th day of February 2001.

Advisory Neighborhood Commission 3B:

  
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Monica Mizerek  
Chairperson

Applicant BJ Enterprises Inc.  
by its President

  
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Michael L. Papanicolas